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PTO/SB/05 (11-00)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 43276

First Inventor

Gregory P. Pogue

Title

Production of a Parvovirus Vaccine in Plants as Viral Coat Protein Fusions

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 36]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed (original or copy)  
Copy from a prior application (37 CFR 1.63 (d))
  - b. ☒ (for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No. 09 / 520,967

Prior application information

Examiner Folev

Group Art Unit 1648

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

001609

(Insert Customer No. or Attach bar code label here)

or

☒

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33,981

Signature

Date

4 February 2002

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

# FEE TRANSMITTAL FORM

Attorney Docket No.: 43276

ASSISTANT COMMISSIONER OF PATENTS  
**BOX: PATENT APPLICATION**  
Washington, D.C. 20231

Transmitted herewith for filing is the patent application of:

Inventors: Gregory P. Pogue, John A. Lindbo, Michael J. McCulloch, Jonathan E. Lawrence,  
Cynthia S. Gross and Stephen J. Garger,

For: **PRODUCTION OF PARVOVIRUS VACCINE IN PLANTS AS VIRAL COAT  
PROTEIN FUSIONS**

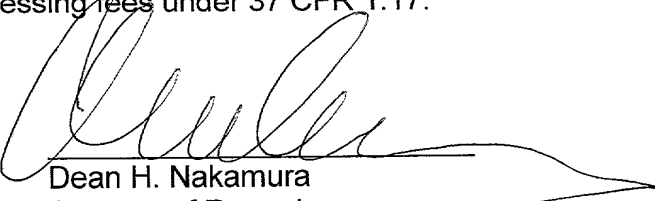
The filing fee for filing this patent application has been calculated as follows:

		(Col. 1)	(Col. 2)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR:		NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE					<b>\$370.00</b>	OR		<b>\$740.00</b>
TOTAL	<b>7</b>	- 20=	<b>0</b>	x 9 = \$			x 18 = \$	
INDEP	<b>1</b>	- 3=	<b>0</b>	x 42 = \$			x 84 = \$	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				+ 140 = \$			+ 280 = \$	
If the difference in Col. 1 is less than zero, enter "0" in Col. 2				TOTAL	<b>\$370.00</b>		TOTAL	\$

The Examiner is authorized to obtain the CRF of the Sequence Listing from parent application U.S. Ser. No. 09/520,967, the content of which is the same as that of the paper copy of the Sequence Listing filed concurrently herewith.

- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ A check in the amount of **\$370.00** to cover the above calculated filing fee.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is attached.
- ☒ Any additional patent application filing fees under 37 CFR 1.16.
- ☒ Any additional patent application processing fees under 37 CFR 1.17.

Dated: 4 February 2002

  
Dean H. Nakamura  
Attorney of Record  
Reg. No. 33,981

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1300 19<sup>th</sup> Street, N.W., Suite 600  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gregory P. POGUE *et al.*

Serial No.: 09/520,967

Filing Date: March 8, 2000

For: PRODUCTION OF A PARVOVIRUS VACCINE  
IN PLANTS AS VIRAL COAT PROTEIN FUSIONS

Examiner: Shanon A., Foley

Group Art Unit: 1648

1011 U.S. PTO  
10/061216  
02/04/02

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

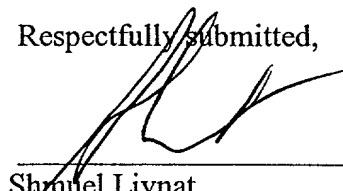
The undersigned hereby states that the content of the Sequence Listing submitted herewith and the computer readable copy submitted herewith, in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to our Deposit Account No. 22-0261.

Respectfully submitted,

Dated: August 9, 2001

By:

  
Shmuel Livnat

Registration No. 33,949

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